



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278*

March 29, 2024

By ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Daysean Bannister*, 15 Cr. 537 (PAE)

Dear Judge Engelmayer:

The Government respectfully submits this letter on behalf of the parties to request an adjournment of the April 2, 2024 violation of supervised release conference in this matter.

As the Court is aware, on February 26, 2024, the United States Probation Office filed a violation report (the "Violation Report") alleging six specifications related to a February 15, 2024 incident in which the defendant attacked two people on an MTA bus and stabbed one victim in the head with a knife. On March 8, 2024, the defendant was indicted in the Supreme Court of the State of New York, County of Bronx, for this same conduct. The indictment charges the defendant in six counts: (1) attempted murder in the second degree, in violation of New York Penal Law (NYPL) §§ 110 and 125.25; (2) assault in the first degree, in violation of NYPL § 120.10; (3) gang assault in the first degree, in violation of NYPL § 120.07; (4) gang assault in the second degree, in violation of NYPL § 120.06; (5) assault in the second degree, in violation of NYPL § 120.05; and (6) criminal possession of a weapon in the fourth degree, in violation of NYPL § 265.01.

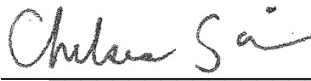
Accordingly, the parties jointly request an adjournment of this matter for approximately 90 days. This adjournment will allow the state case to proceed and potentially reach a resolution, which may in turn lead to a resolution short of an evidentiary hearing on the Violation Report. The

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adjournment will also permit the Government to gather and produce discovery materials from the state and allow the defense to review those materials.

Respectfully submitted,

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Cc: Susan Kellman, Esq.
U.S. Probation Officer Specialist Adam Pakula

GRANTED. The conference is adjourned to July 9, 2024 at 11:00 a.m. The Clerk of Court is requested to terminate the motion at Dkt. No. 1872.

3/29/2024

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge